REMARKS

In response to the final Office Action of February 18, 2009, applicant respectfully requests reconsideration of the rejection of the claims for the reasons stated below.

Claim Rejections - 35 USC §102

At section 2 of the final Office Action, claims 1-29 are rejected under 35 USC §102(e) as unpatentable over US patent application publication 2004/0021691, Dostie, et al (hereinafter Dostie).[1]

With respect to claim 1, it is asserted that Dostie teaches a display for inputting information having the elements recited therein. Furthermore, in the Response to Arguments section, the Office contends that the arguments presented in applicant's response of November 24, 2008 concerning the amended language of claim 1, directed to the feature that the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters independently of user input is taught by Dostie. In this regard, the Office relies upon paragraphs [0138] and [0198] of Dostie. For the reasons set forth below, applicant respectfully disagrees.

The Present Invention as Claimed

Claim 1 of the present invention sets forth a device for inputting information comprising:

- a display;

- a memory comprising a first set of characters of a character set and a second set of characters of a character set;

wherein the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters independently of user input, and

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[1] The Office uses the character X for the reference at page 9 of the final Office Action (Response to Arguments section) which applicant's attorney assumes to be the Dostie reference since that is what was argued in applicant's response of November 24, 2008.

wherein the display is configured to display, for selection of which character to input, the first set of characters only.

The Office argues at page 9, lines 8-11 concerning Dostie's paragraphs [0138] and [0198] that, "it is evident that there is displayed a default view, graphical keyboard, displayed on the screen upon start of the application/system thus no user input has taken place and the first set of characters are displayed without user input as suggested by the Applicant."

Dostie at paragraph [0138] teaches a data entry system which by default begins in a character entry mode wherein <u>upon startup an ordinary QUERTY keyboard is displayed</u>. As such, an ordinary QUERTY keyboard cannot provide a distinction between a first set of characters and a second set of characters, wherein only the first set of characters are displayed. Furthermore, an ordinary QUERTY keyboard cannot provide a distinction between a first set of characters and a second set of characters, wherein the characters in a first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters. Consequently, Dostie at startup fails to distinguish between the first and second set of characters as required by claim 1.

Furthermore, Dostie at paragraph [0138] teaches the QUERTY keyboard to receive user input and <u>as a consequence of the user input</u> the rapid search mode is entered in order to provide potential completion candidates. It is therefore evident that user input is indeed required in order for Dostie to distinguish between any potential completion candidates.

For all of these reasons, it is therefore evident that Dostie at paragraph [0138] fails to disclose or suggest that the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters <u>independently of user input</u>, as set forth in claim 1 of the present application.

Furthermore, Dostie at paragraph [0198] teaches that when the user input device is lifted from the touch-sensitive screen, the rapid navigation system remains active until a display timer runs out. If no user input is received before the timer runs out, the rapid

navigation system is replaced with the ordinary QUERTY keyboard. That is, the purpose of the embodiment disclosed at paragraph [0198] of Dostie is to provide a rapid navigation system which has "a certain level of 'stickiness'." Thus, the system remains as a rapid navigation system for some period of time associated with the display timer prior to running out, at which event the rapid navigation system is replaced with an image of the digital keyboard (QUERTY keyboard). The relied upon passage by the Office thus relates to timing issues and does not provide any further teachings than those already set forth in paragraph [0138] of Dostie in relation to the displaying or distinguishing between character sets.

In summary, Dostie at paragraphs [0138] and [0198] do not provide any teachings which would lead a person of ordinary skill in the art toward the claimed subject matter as set forth in claim 1 and in particular does not in any way suggest wherein the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters independently of user input.

It is therefore respectfully submitted that claim 1 is not anticipated or suggested by Dostie.

Independent method claim 12, independent computer program product claim 21, and independent device claim 29 all recite features corresponding to those recited above with respect to claim 1 and, for similar reasons, each of these independent claims is also believed to be neither disclosed nor suggested by Dostie.

Since each of the independent claims of the present application are believed to be allowable, it is respectfully submitted that dependent claims 2-11, 13-20, and 22-28 are further not anticipated or suggested by Dostie at least in view of such dependency.

For all of the foregoing reasons, it is therefore respectfully requested that reconsideration of the rejection of the claims be made and that the application proceed to allowance.

In this regard, applicant's attorney would be pleased to discuss any of the details of this Request for Reconsideration, including the pending claims with Examiner Augustine if Examiner Augustine believes such conversation to be potentially fruitful.

The undersigned respectfully submits that no fee is due for filing this Request for Reconsideration. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

Dated: <u>April 16, 2009</u>

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